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September 11, 2023

#### Via ECF Filing

Hon. Andre M. Espinosa, U.S.M.J.  
U.S. District Court District of New Jersey  
Martin Luther King, Jr. Courthouse  
50 Market Street  
Newark, NJ 07101

**Re: Duncan as General Administrator and Administrator ad  
Prosequendum of The Estate Of Jameek Lowery v. City of Paterson  
Civil Action No. 2:20-cv-08471-MCA-LDW**

Dear Judge Espinosa:

This office represents the Plaintiff in the above-captioned matter. Please accept this joint status letter on behalf of the parties as required pursuant to the Court's Amended Scheduling Order dated June 12, 2023 (ECF 72) and in furtherance of the upcoming case management conference scheduled before Your Honor for September 13<sup>th</sup> at 10:00am.

The parties last appeared before Your Honor during a telephonic conference held on June 9, 2023. Since then, Plaintiff has taken and completed the fact depositions of Defendants, Officer Wanamaker, Officer Avila and Officer Lucero. Plaintiff also recently noticed and conducted the fact deposition of Nurse Allison Worzel. Plaintiff is finished taking fact depositions at this time.

While the Plaintiff was conducting fact depositions, the defense delayed noticing the deposition of the Plaintiff until the Plaintiff had an opportunity to complete all of its sought depositions. Now that the Plaintiff's noticed depositions are complete, the defendants

require additional time to conduct the deposition of the Plaintiff. The defendants have noticed the deposition of the Plaintiff for October 2, 2023, and respectfully request from the Court additional time to complete this deposition. The current fact discovery deadline is September 8, 2023.

Additionally, November 8, 2023, is the current deadline for service of Plaintiff's affirmative expert reports. Plaintiff is on track to meet that deadline with her experts. December 22, 2023, is the current deadline for service of Defendants' responsive expert reports. Defendants do not foresee any inability to meet this deadline. The parties are not requesting any extension of the expert report deadlines at this time.

Thank you for Your Honor's time and attention to this matter.

Respectfully yours,

*/s/ Nicholas F. Pompelio*

Nicholas F. Pompelio

cc: Nicholas J. Palma, Esq. (***Via ECF***)  
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